

REMARKS

The Office Action dated September 19, 2008 has been received and its contents carefully noted. From the Summary page, Claims 1, 3-9 and 11-26 were pending. Claims 1, 3, 4, 6-9 and 11-26 are indicated as rejected. An objection was made to claim 5 for reciting allowable subject matter but depending upon a rejected base claim. The Drawings filed October 6, 2005 have been accepted. Acknowledgement has been made of Applicant's Claim for Priority. Further, the Information Disclosure Statements filed October 6, 2005, June 6, 2006 and November 26, 2007 have all been considered.

By this response, claims 1, 3-4, 6, 9, 12-13, 15-18, 20-21, 23 and 25 have been amended. Claims 5 and 11 have been canceled. Independent claim 1 has been amended to incorporate the features of canceled claim 5. Independent claim 9 has been amended to incorporate the features of canceled claim 11. Also, the amendments to claims 3, 4, 6, 12-13, 15-18, 20-21, 23 and 25 correct dependency issues resulting from claim cancelation.

In view of the claim amendments presented above, Applicants respectfully submit that claims 1, 3-4, 6-9 and 12-26 stand in Condition for Allowance.

Allowable Subject Matter – Claim Objections

An objection was made to claims 5, 11 and 22 as reciting allowable subject matter but depending upon a rejected base claim. As provided in the claim amendments, independent claim 1 now recites the features of claim 5, and independent claim 9 now recites the features of claim 11. Therefore, Applicants respectfully submit that independent claims 1 and 9, and claims 3, 4, 6-8 and 12-26, dependent thereon, stand in Condition for Allowance.

Claim Rejections – 35 U.S.C. § 112, second paragraph

Claims 3-8 and 11-23 were rejected under 35 U.S.C. § 112, second paragraph, as purportedly being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as their invention. The errors arose from errors in claim dependency. The rejection is traversed hereby.

As an initial matter, Applicants would like to thank Examiner Pelham for correctly treating claims 3 and 11 as depending upon claims 1 and 9, respectively. By this response, the

rejection as to claim 11 is made moot due to cancellation. In addition, proper claim dependency has been made in all of the pending claims, *supra*. Therefore, withdrawal and reconsideration of the rejection are respectfully solicited as claims 3-8 and 12.

Next, claim 21 is rejected because “*covering member*”, as being dependent upon claim 11, via claim 20, purportedly lacks antecedent basis. In response, Applicants note that claim 11 has been canceled. In addition, claim 21 now depends upon claims 1 or 3 which specifically recite “*covering member*”. Therefore, claim 21 overcomes the rejection.

Further, claim 21 also is rejected because “*post covering member*” purportedly lacks antecedent basis in claims 1, 3, 9 and 11 (now canceled). Claim 21 now depends upon claims 1 or 3 and has been amended to recite “*the support post covered with a heat-resistant support post covering member*”. Because “*the support post*” is recited in independent claim 1, and claim 3 is dependent thereon, there is sufficient antecedent basis for “*a heat-resistant support post covering member*”. In view of the foregoing, Applicants courteously solicit withdrawal and reconsideration of the rejection as to claim 21.

35 U.S.C. § 103 (a) – Claim Rejections

Claims 9, 13-16, 18, 20 and 23-25 stand rejected as being unpatentable over Murakami (US 5,462,603) in view of Sotodani et al. (JP2000-173750). Also, claims 1, 3, 4, 6-8, 12, 17, 19, 21 and 26 stand rejected as being unpatentable over Murakami in view of Sotodani et al. in view of Johnsgard et al. (US 6,342,691). Both rejections are traversed.

In view of these rejections, Applicants have amended independent claims 1 and 9 to incorporate the allowable subject matter of claims 5 and 11, respectively. Therefore, both rejections are overcome. As such, independent claims 1 and 9, and claims 3, 4, 6-9, 12-26, dependent thereon, stand in Condition for Allowance.

CONCLUSION

All of the stated grounds of objections and rejections have been properly traversed, accommodated, or rendered moot. Therefore, it is respectfully requested that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding Office Action and, as such, the present application is in condition for allowance.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

If any fees under 37 C. F. R. §§ 1.16 or 1.17 are due in connection with this filing, please charge the fees to Deposit Account No. 02-4300, Order No. 033082M282.

Respectfully submitted,
SMITH, GAMBRELL & RUSSELL, LLP

By:


Michael A. Makuch, Reg. No. 32,263
1130 Connecticut Avenue, NW – Suite 1130
Washington, D.C. 20036
Telephone: (202)263-4300
Facsimile: (202) 263-4329

Dated: December 19, 2008

SGRDC\323374.1